



15750 U.S. PTO
040904

CUSTOMER NUMBER 25268

5870 U.S. PTO
10/822170

040904

UTILITY PATENT APPLICATION AND FEE TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

INCOMPLETE

Attorney Docket No. BIOL0082

Date: April 9, 2004

Inventor(s): **William E. Ortyn, Michael J. Seo, David A. Basiji, Keith L. Frost, and David J. Perry**

Title **AUTO FOCUS FOR A FLOW IMAGING SYSTEM**

FULL NAME OF 1ST NAMED INVENTOR: **William E. Ortyn** COUNTRY OF CITIZENSHIP: **US**

RESIDENCE ADDRESS OF INVENTOR: **11546 Matsu Place, Bainbridge Island, Washington 98110**

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FULL NAME OF 2ND NAMED INVENTOR: **Keith L. Frost** COUNTRY OF CITIZENSHIP: **US**

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FULL NAME OF 2ND NAMED INVENTOR: **David J. Perry** COUNTRY OF CITIZENSHIP: **US**

RESIDENCE ADDRESS OF INVENTOR: **24017 107th Drive SE, Woodinville, Washington 98072**

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Commissioner for Patents
Mail Stop Patent Application
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal (BELOW)
2. ☒ Applicant(s) claims small entity status. See 37 C.F.R. § 1.27.
3. ☒ Specification [Total Pages 50]
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 35] {FORMAL}
5. ☐ Oath or Declaration [Total Pages]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d)) (for continuation/divisional with Box 17 completed) [Note Item 5 below]
 - ii. DELETION OF INVENTOR(S)
☐ Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

6. ☒ Application Data Sheet. See 37 C.F.R. § 1.76

7. ☐ CD-ROM or CD-R in duplicated, large table or Computer Program (Appendix)

8. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

a. ☐ Computer Readable Form (CRF) b. ☐ Specification Sequence Listing on: ☐ i. CD-ROM or CD-R (2 copies); or ☐ ii. Paper c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))

10. ☐ 37 C.F.R. § 3.73(b) Statement (when there is an assignee) _____ Power of Attorney

11. ☐ English Translation Document (if applicable)

12. ☐ Information Disclosure Statement (IDS)/PTO-1449 _____ Copies of IDS Citations

13. ☐ Preliminary Amendment

14. ☒ Return Receipt Postcard (MPEP 503) (Should be itemized specifically)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. ☐ **NONPUBLICATION REQUEST: Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**

17. ☐ Other: _____

18. **If a CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) _____ of prior application No: _____ / _____

Prior application information: Examiner: _____ Group / Art Unit: _____

This application is based on a prior co-pending provisional application, Serial No. 60/462,574, filed on April 11, 2003 and is further a continuation-in-part of a prior co-pending conventional application, Serial No. 10/348,193, filed on January 16, 2003, which itself is a continuation-in-part of a prior co-pending conventional application, Serial No. 09/939,292, filed on August 24, 2001, which itself is based on a prior co-pending provisional application, Serial No. 60/228,076, filed on August 25, 2000, the benefit of the filing dates of all of which are hereby claimed under 35 U.S.C. § 119(e) and 35 U.S.C. § 120, as appropriate.

For CONTINUATION OR DIVISIONAL APPLICATIONS only: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference therein. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

Correspondence address below:

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LAW OFFICES OF RONALD M. ANDERSON
600 - 108th Avenue N.E., Suite 507
Bellevue, WA 98004
Telephone: 425-688-8816 Facsimile: 425-646-6314

METHOD OF PAYMENT (check one)

Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

X Payment NOT Enclosed

FEE CALCULATION

1. BASIC FILING FEE

Fee Description	Fee Paid
Utility filing fee	\$ 385
Design filing fee	
Plant filing fee	
Reissue filing fee	
Provisional filing fee	

SUBTOTAL (1)

\$ 385

2. EXTRA CLAIM FEES

Extra Claims	Fee from below	Fee Paid
0	0	0
1	1	1
2	2	2
3	3	3
4	4	4
5	5	5
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100	100	100

Total Claims	-20 = x \$9 =
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Independent Claims	- 3 =	x \$43 =
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Multiple Dependent	-0-	x \$145 =
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SUBTOTAL (2)

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FEES (SUBTOTALS (1)+(2))

\$

3. ADDITIONAL FEES

1. *Phragmites australis* (Cav.) Trin. ex Steud.

TOTAL FEES ENCLOSED: (1)+(2)+(3) \$ -0-

FEE CALCULATION (continued)

3. ADDITIONAL FEES (Continued)

Other fee (specify)

SUBTOTAL (3)

\$

Date: April 9, 2004

(Signature of person mailing paper or fee)